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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: **Kojiro TANAKA**

Group Art Unit: **1657**

Application Number: **10/529,854**

Examiner: **Bin Shen**

Filed: **March 31, 2005**

Confirmation Number: **5346**

For: **MEASURING KIT, MEASURING METHOD AND MEASURING  
APPARATUS OF MICROORGANISM IN LIQUID SAMPLE**

Attorney Docket Number: **052343**

Customer Number: **38834**

**RESPONSE TO RESTRICTION AND ELECTION REQUIREMENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

April 27, 2007

Sir:

This paper is submitted in response to the Official Action dated March 27, 2007.

In the Action, restriction is required between Group I (Claims 1-4, 9, and 10-16); Group II (Claims 5-6, 10-16 and 17); and Group III (Claims 7-8, 10-16 and 18).

Applicants hereby elect the subject matter of Group I, Claims (1-4, 9-16).

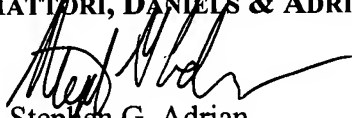
The Office Action also requires an election of one species among A, B and C. Applicant elects aliphatic alcohol of ethanol for A, porous polymer membrane of polytetrafluoroethylene for B, and alkali metal salt of ethylenediaminetetracetic acid for C. It is believed that claims 1-4 and 9-16 read on the elected species.

This election is made without traverse, it being understood that the Applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. If any additional fees are due in connection with this paper, please charge Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

A handwritten signature in black ink, appearing to read 'Stephen G. Adrian', is written over the firm name.

Stephen G. Adrian

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